

Request for Academic Progression to 2L Studies

NWCULaw encourages students who have a complaint to resolve it informally. *See* Student Handbook (“S.H.”) § 7.12(C) (NWCULaw, effective Sept. 11, 2023). The “First-Year Law Students’ Examination” is the examination required by California Business and Professions Code Section 6060(h) and by Admissions Rule 4.31¹ There must be a *reasonable* explanation for failing to take exams. *See* S.H. § 4.2(K) (NWCULaw, effective Sept. 11, 2023). “The mission of Northwestern California University is to provide affordable, quality education in law to *individuals around the world through non-resident study*. What about California students? It is certainly a lot easier to abuse discretion when a student is not from the State or in another Country.

It is indisputable that I have studied the law in good faith and have a reasonable explanation for failing to take exams. *See* ECF No. 89. Request for Judicial Notice (archived at <https://perma.cc/BCB4-AXVJ>). I think this filing attests to the *veritas* that I’ve been learning the law. I owe a great deal to this law school for that, *inter alia*.

Rule 4.160(B)(18) requires a law school to have access to a library for students to learn the law. *Id.* A law school must have a written policy that requires each student to complete at least 1200 hours of verifiable academic engagement to complete the JD program. *Id.* at 12(B)(e). As of October 23, 2023, my eJuris log shows 371.16 hours of recorded learning over a span of 151 days.² The library records from Lexis Nexis were denied after a request consistent with 20 U.S.C. § 1232g(a)(1) and was denied for arbitrary reasons. *See* email correspondences.

¹Title 4, Div. 1, Admissions to Practice Law in California (adopted July 2007) (archived at <https://perma.cc/7NVZ-M8QR>). *See also* State Bar Act (Cal. Bus. & Prof. Code § 6060(e)(2), (h)(1) (2023) (archived at <https://perma.cc/G5HQ-JXSD>)

² Email from NWCU Admin to Clinton Brown, subject "Activity on eJuris at NWCULaw," sent on Thursday, November 2, 2023, at 9:56 AM.

Regardless of whether I was on the eJuris screen or not, I was learning during that time, *and then some*, and I should have the right to prove that I spent *a lot of time* in the library. *See* ECF No. 86, *supra*, Transcript of three (3) cases on September 21, 2023 (available to the public on 01/18/2024). For 1L ending or 2L beginning, I've listened to all ten (10) Supreme Court oral arguments this Term, on my own volition. I will hear the oral argument tomorrow in *Dept. of Agric. Rural Dev. v. Kirtz*.

Although it is true that the law school has the right to modify policies at any time, the law school is still subject to the authority of the California Bar Examiners, State Bar Act, California Supreme Court, Federal law, *et cetera*. It's not in the spirit or tradition of learning the law to disregard self-study. **There is no prescribed program of legal education.** *See* Rule 4.160(D)(4), Title 4, Div. 2 (adopted Jan. 1, 2022) (archived at <https://perma.cc/7XH9-EJBG>) *See also*, State Bar Act § 6060.5 Different Bar Examination for Particular Applicants *Neither the board, nor any committee authorized by it*, shall require that applicants for admission to practice law in California pass different final bar examinations depending *upon the manner* or school in which *they acquire their legal education*. Thus, there can be no more objective standard than the FYLSX. A state can require high standards of qualification, such as good moral character or proficiency in its law, before it admits an applicant to the bar, but any qualification must have a rational connection with the applicant's fitness or capacity to practice law. *SCHWARE v. Bd. OF BAR Exam'rs OF N.M.*, 353 U.S. 232, 77 S. Ct. 752 (1957). *See also* President Joseph R. Biden Jr., Exec. Order No. 14036, 86 Fed. Reg. 36987 (July 14, 2021), (archived at <https://perma.cc/DF9G-9FDZ>). "Promoting Competition in the American Economy. *See further* Burnett et al. v. Nat'l Ass'n of Realtors et al., No. 19-cv-332 (W.D. Mo. 2023).

The California State Bar Act § 6001.1 says, "Protection of the public, which includes support for greater access to, and inclusion in, the legal system, shall be the

highest priority for the State Bar of California and the board of trustees in exercising their licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, *the protection of the public shall be paramount*. (Added by Stats. 2011, ch. 417. Amended by Stats. 2018, ch. 659.)” Did the Legislature cede power to individual schools or persons to determine whether individuals can be included or excluded in the legal system? I think not. *Where is the due process?*

The most important responsibility of being an Officer of the Court is to protect the public from the abuse of that privilege by oneself or others; and equally important is ensuring that the Courthouse is open to all with a concrete and particularized harm that can be addressed by the Court; especially in a Nation where we freely elect our representatives.³ *See also* 28 U.S.C. § 1654.

As such, I request that I may progress to 2L by November 9th, 2023, stipulated that I am to *take and pass* the June 2024 FYLSX and that moving forward I must complete 2L studies per the requirements set forth for each course. *See* Rule 4.55(A)(1)(iii) (2007). In addition to, receiving student records from Lexis Nexis, according to the law.

“I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.”



Clinton Brown

11/09/2023

³ And If I use my pen with the boldness of a freeman, it is because I know that *juries yet are judges*. The Anti-Federalist, Letter I at 13, § 2.7-2, Oct. 1787; (H.J. Storing ed., 1985)



Clinton Brown <clinton@atlasinc.solar>

CLINTON BROWN Final Exam Request Received

NWCU School of Law <noreply@jotform.com>
Reply-To: assignments@nwculew.edu
To: clinton@atlasinc.solar

Mon, Oct 2, 2023 at 7:15 PM

Dear CLINTON BROWN,

We are in receipt of your final exams request. Your submission ID is 5721085139024131631.

We will now verify your eligibility for finals by checking that all assignments, including VAE requirements, have been submitted and have received passing grades. We will also verify that your midterm essay exams have been submitted, although it will not affect your eligibility for finals if they are still out for grading. Once your eligibility is confirmed, we will verify that your selected exam date is within the proper period for your exams, and we will then prepare your final exams.

This process usually takes 2-3 weeks. If you submitted your request for final exams early, we appreciate that.

Approximately two weeks after a student submits the Final Exams Request Form, an email will be sent to confirm eligibility for finals. You may also wish to review the final exams instructions on eJuris at any time.

Sincerely,

Administrative Staff
Northwestern California University School of Law



Clinton Brown <clinton@atlasinc.solar>

Formal Request for Education Records

1 message

Clinton Brown <clinton@atlasinc.solar>

Thu, Oct 26, 2023 at 6:06 PM

To: Oscar Olivares <oscar@nwculew.edu>

Bcc: Teresa Brown <teresa@atlasinc.solar>, Erick Ordaz <erick@atlasinc.solar>

Oscar,

Thank you for taking the time to look into this. I'd like to request the data (csv file) you showcased in the video presented. See *NWCU School of Law, Brown - VAE Status at 5:57 (October 26, 2023)*. Additionally, could you provide the LexisNexis data that I requested on October 19, 2023. This is a formal request to access my education records. I'd like to dig a little deeper on this prior to my finals that are scheduled on November 8, 2023.

Sincerely,

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Clinton Brown

CEO, Atlas, Inc.

310-487-6453 | clinton@atlasinc.solar

www.atlasrei.co



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Clinton Brown <clinton@atlasinc.solar>

Re: Your questions about VAE hours

NWCU Admin <admin@nwculew.edu>

Fri, Oct 27, 2023 at 12:41 PM

To: clinton@atlasinc.solar

Dear Mr. Brown,

I am responding to the emails you have sent to our staff regarding final exams and the requirements that must be met in order to qualify for final exams, particularly VAE requirements. I have reviewed your records and have verified that you did not qualify to request final exams at the time you submitted your request. Your request was therefore properly denied.

As you are aware, students must complete a minimum number of hours for each course participating in learning activities which qualify as "verified academic engagement" (VAE), plus a further specified number of hours per course for preparation and study. The VAE hours are tracked or verified through specified assignments submitted to the school.

I see that the record of your VAE time was sent to you already, by our staff member, Crystal, on October 13, when she reviewed your request for final exams. As explained in the email Crystal sent to you, our records show that you have not submitted the following required assignments, and therefore do not qualify for final exams:

- Definitions assignments for Contracts, Criminal Law, Intro to Law, and Torts
- Case briefs assignments for Contracts, Criminal Law, Intro to Law, and Torts
- Mini thesis papers for Contracts, Criminal Law, and Torts
- Midterm essay exams for Contracts, Criminal Law, and Torts

Also, as of October 13, you had not completed the required number of hours of additional VAE activities for each course. You had completed only the following as of October 13:

- Contracts: 21 hours completed (55 hours are required to qualify for final exams)
- Criminal Law: 16 hours completed (32 hours are required to qualify for final exams)
- Intro to Law: 17 hours completed (32 hours are required to qualify for final exams)
- Torts: 28 hours completed (55 hours are required to qualify for final exams)

Because you did not meet the requirements to establish eligibility for final exams, your request for final exams was properly denied.

I understand from reading through the emails you have sent, that you believe you may qualify for additional VAE credit for research and study you completed on LexisNexis. I see also that you emailed LexisNexis for records of your access there and you have asked whether NWCU has such records. NWCU Law does not have access to LexisNexis logs; we only can view the scores earned on the 12 assignment modules that are part of our Intro to Law course requirement. However, the issue is moot because student research and study on LexisNexis does not qualify for VAE hours. Those hours are considered as part of your own independent study and preparation, not as VAE.

We do show that you completed the 12 required assignment modules on LexisNexis, and you were awarded two hours of VAE credit for passing that assignment.

You have requested a spreadsheet showing all your log-in times to the eJuris system. Your request has been submitted for approval and I expect it will take several days for a response. I will email you again when I have a response on that.

At this time, you are not eligible to request final exams because you have not completed the requirements, as explained above. When you have completed the requirements, you may submit a new request. You do not have to pay again; you may use the link Crystal sent to you for the form which does not require a proctoring fee.

However, please note that final exams must be requested at least 30 days in advance of your planned exam date. Because your prior request was denied, you will need to submit a new request. Because it is now October 27, your new request will be late; it was due by October 9 for exams to be taken on November 9. You may submit a new request if you complete all the requirements before the end of the term. However, we cannot guarantee that late requested exams will be ready in time. Obviously, the less late your request is, the more likely we will have available staff and time to grant a late request. For that reason, I urge you to immediately submit your completed written assignments so that they can be graded.

If you have further questions about this matter, you may email me at admin@nwculaw.edu.

Sincerely,

Mary Schofield
Academic Dean

Northwestern California University School of Law
[2151 River Plaza Drive, Suite 306](#)
[Sacramento, California 95833](#)
(916) 920-9470



Clinton Brown <clinton@atlasinc.solar>

Your log showing activity on eJuris at NWCULaw

NWCU Admin <admin@nwculew.edu>

Thu, Nov 2, 2023 at 9:56 AM

To: clinton@atlasinc.solar

Dear Mr. Brown,

You requested a copy of the log from eJuris. It is attached to this message.

Please note that all access to eJuris does not result in an award of VAE hours. Only time spent actively participating in specified activities counts as VAE. These activities are listed in each course syllabus, and although there is some variation between courses, VAE activities typically include Participating in real-time online classes taught by NWCU professors on eJuris, Viewing recorded past classes on eJuris, Viewing recorded video lectures on eJuris, Posting or responding to posts on the eJuris discussion boards, and Listening to Clancey's Outlaws through eJuris.

Sincerely,

Mary Schofield
Academic Dean

Northwestern California University School of Law
[2151 River Plaza Drive, Suite 306](#)
[Sacramento, California 95833](#)
(916) 920-9470



Clinton Brown eJuris Log 20231026-0929.xlsx
152K



Clinton Brown <clinton@atlasinc.solar>

Your email to NWCU Administration Re: Request for Academic Progression to 2L Studies

2 messages

NWCU Admin <admin@nwculaw.edu>
To: clinton@atlasinc.solar

Sun, Nov 5, 2023 at 1:59 PM

Thank you for your email.

If your message is one that would be handled by Academic Dean Schofield, she is on vacation until Monday, November 13. If the message can wait, she will respond to it during the week of November 13-17.

If your email cannot wait until the week of November 13-17 for a response from her, please call the school office: (916) 920-9470.

--

Sincerely,

Mary Schofield
Academic Dean

Northwestern California University School of Law
[2151 River Plaza Drive, Suite 306](#)
[Sacramento, California 95833](#)
(916) 920-9470

Clinton Brown <clinton@atlasinc.solar>
To: Lori Zapata <lori@nwculaw.edu>

Mon, Nov 6, 2023 at 1:12 PM

Lori,

I received this automated message and I hate to bother her on her vacation, but are you able to notify Prof. Mary that I sent her a letter via email that I believe needs to be responded to by November 8th, according to the Rules?

Please let me know.

Sincerely,
Clinton

P.S. I also left a voicemail on the school's system.

[Quoted text hidden]

Request for Academic Progression to 2L Studies

3 messages

Clinton Brown <clinton@atlasinc.solar>

Sun, Nov 5, 2023 at 1:59 PM

To: admin@nwculaw.edu

Bcc: Teresa Brown <teresa@atlasinc.solar>, Erick Ordaz <erick@atlasinc.solar>

Professor Mary,

Please the attached informal grievance request.

Sincerely,

--

**Clinton Brown**

CEO, Atlas, Inc.

310-487-6453 | clinton@atlasinc.solar

www.atlasrei.co



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 **Request Letter for Academic Progression to 2L Studies.pdf**
192K**NWCU Admin** <admin@nwculaw.edu>

Tue, Nov 7, 2023 at 10:11 AM

To: Clinton Brown <Clinton@atlasinc.solar>

Dear Mr. Brown,

I received and reviewed your message with an attached letter titled: "Request Letter for Academic Progression to 2L Studies."

You assert in the letter that it is indisputable that you have studied the law in good faith and have a reasonable explanation for failing to take exams. The reality though is that a reasonable explanation for failing to take final exams is not needed. You are simply not now eligible to take final exams because you have not completed the necessary pre-requisites that qualify students to take them.

The required VAE has not been completed by you. Moreover, you have not passed the Introduction to Law Quiz and the Criminal Law Quiz, and have not completed the definitions requirement; the case briefs

requirement; the Introduction to Law, Legal Analysis, and Legal Research LexisNexis assignments requirement; the respective midterm mini-thesis requirements for Contracts, Torts, and Criminal Law; and the midterm essay exams requirement for Introduction to Law, Legal Analysis, and Legal Research , Contracts, Torts, and Criminal Law.

It appears that you are, in part, requesting credit for having been involved in a lawsuit. However, a student's involvement in a lawsuit is not the same as studying law in a Juris Doctor program. Although I am sympathetic to your desire to have credit awarded for the work you did in your own lawsuit, that suit is not part of the NWCUC program, and we cannot award you credit for it.

The NWCUC law study program combines self-study (at least 600 hours per year) with active engagement, as is required by the State Bar of California. Your statement that it is "not in the spirit or tradition of learning the law to disregard self-study" is irrelevant. We do not disregard self-study. However, the program is not a complete self-study law program.

In order to earn the Juris Doctor degree at NWCUC, students must complete four years of study in the program, meeting the requirements for each term, and they must do so within a set time period of no more than one year per term. Additionally, they must achieve the required grade point average in their studies. The requirements for the program are clearly delineated in the Student Handbook and in each course syllabus, all of which were provided to you when your term began.

Additionally, the requirements for earning the required hours of verified academic engagement (VAE) are clearly explained in each course syllabus. The time you have spent on eJuris is immaterial as you spent time on eJuris doing other activities that are not approved for VAE credit. For example, reading the course syllabus, reviewing the Student Handbook, etc., do not count for VAE credit. In addition to the VAE hours required, as you are aware, students must spend many hours in individual study and preparation. The time on eJuris that does not qualify for VAE would be counted as individual study and preparation. As you are aware, you are required to spend at least 600 hours per year in individual study and preparation.

The fact that you were learning while completing non-VAE studies is implicit in our program. Reading casebooks is a learning activity, but does not count for VAE. Similarly, you may well have been learning during the time you completed non-VAE activities, but you cannot receive VAE credit for it. For example, reading the ten recent Supreme Court arguments was no doubt educational, but cannot be counted toward VAE credit.

Your request to take the First-Year Law Student's Exam (FYLSX) appears to be a suggestion that you could do so in lieu of completing the first year of law studies. That is not something that can be allowed. You are not eligible to take the First-Year Law Student's Exam. In order for students to do so, they must successfully complete the first year of law studies.

The request therefore is denied.
Mary Schofield,
Academic Dean,

Northwestern California University School of Law,
2151 River Plaza Drive, Suite 306,
Sacramento, California, 95833
(916) 920-9470

[Quoted text hidden]

Clinton Brown <clinton@atlasinc.solar>
To: NWCUC Admin <admin@nwcuculaw.edu>

Tue, Nov 7, 2023 at 11:31 AM

Prof. Mary,

I have completed all the introduction quizzes and the Lexis. I have the records. Ask me any definition you want and I'll tell you what I know. It's irrelevant if you're sympathetic or not and frankly I wouldn't expect that in the slightest. However, I believe and I will get this confirmed with CSBARS that the law school can in fact allow me to proceed to 2L, whether on academic probation or not; and because I am not required to take the "Baby Bar" then that would be a requirement to receive credit for the law study up to that point, which would be the First Year because I would still need to pass 2L and there's not an objective test like the "baby bar" to go from 2L to 3L. So, I will contact the CSBARS folks to see if there is less discretion for this decision than what has been decided by you.

At the minimum, you could at least allow me to take the Finals. At a minimum, you could at least let me substitute the "mid-term essays" for the work that, yes, I have submitted to a Federal Judge. At a minimum, that could at least allow meaningful feedback and at a minimum this pivotal decision could be addressed by more than one decision maker. I'm all for "the bucks stops here" but there must be checks on that. An informal process is a doorway to negotiation and should not be a brick wall.

It's really unfortunate because I know CSBARS is going to see the Rules like I do, or at a minimum see that yes, this is unusual, but within the Rules itself. And so, what is a reasonable explanation for failure to take the finals? Ah, it's whatever Prof. Mary decides what is considered reasonable. Unfortunately, I don't think you're seeing this request in a reasonable light and maybe that's the vacation brain.

I sincerely appreciate you taking the time to respond to this request on your vacation in such a thorough manner, but I'm not letting this go so easily because I've worked my tail end off on all three Federal Court cases to a level that I think demonstrates at least 1L understanding of the law. I have more cases in Federal Court than Jack Smith. I don't know everything and I'm sure I have a lot to learn and I'm looking forward to that. However, what I'm not looking forward to is yet another fight, another battle, another war over a procedure that, in its plain language, means what it says.

Sincerely,
Clinton

[Quoted text hidden]